

SANDPOINT CITY COUNCIL AGENDA REQUEST FORM

Today's date: 10 / 05 / 23

Date of meeting 10 / 18 / 23

(City Council meetings are held the 1st and 3rd Wednesday of each month.)

Name of Citizen, Organization, Elected Official, or Department Head making request:

Amy Tweeten, City Planner

Address: 1123 Lake Street, Sandpoint, Idaho 83864

Phone number and email address: 208-255-1738 atweeten@sandpointidaho.gov

Authorized by: Jennifer Stapleton

name of City official



City official's signature

(Department Heads, City Council members, and the Mayor are City officials.)

*Subject: A Public Hearing on the Westpointe Place Preliminary Plat (Case #PS23-0003)

Summary of what is being requested: Public hearing on a preliminary plat for Westpointe Place, a four-lot subdivision.

The following information MUST be completed before submitting your request to the City Clerk:

1. Would there be any financial impact to the city? ☒ ☐ **Yes or No**

If yes, in what way? Not at this time, but at time of development, there will be additional tax revenue generated and public services needed for residents of the anticipated multi-family development.

2. Name(s) of any individual(s) or group(s) that will be directly affected by this action:

Have they been contacted?
Yes or No

Developer

Yes

Adjacent property owners

Yes

3. Is there a need for a general public information or public involvement plan? **Yes or No**

If yes, please specify and suggest a method to accomplish the plan: ☐ ☒

4. Is an enforcement plan needed? **Yes or No** ☐ ☒ Additional funds needed? **Yes or No** ☐ ☒

5. Have all the affected departments been informed about this agenda item? **Yes or No** ☒ ☐

This form must be submitted no later than 6 working days prior to the scheduled meeting. All pertinent paperwork to be distributed to City Council must be attached.

ITEMS WILL NOT BE AGENDIZED WITHOUT THIS FORM

***City Staff, please check one box:** Consent ☐ Old Business ☐ New Business ☒ Other/Unknown ☐

**CITY OF SANDPOINT
AGENDA REPORT**

DATE: October 13, 2023

TO: Mayor and City Council

FROM: Amy Tweeten, AICP, City Planner

SUBJECT: Public Hearing on a the proposed Westpointe Place Preliminary Plat – Case #PS23-0003

Please Note: The Application and all materials related to this request are provided on the City's website at: [Current Projects | Sandpoint, ID \(sandpointidaho.gov\)](https://sandpointidaho.gov/current-projects)

1) Introduction and Background

Westpoint Plaza Development, LLC has applied for preliminary approval to subdivide an approximately 4.3-acre lot into four (4) lots in the Commercial C (CC) zoning district. The property is east of S. Division Avenue, north of Ontario Street, and south of US HWY 2.

The subject lot was part of a previous 4-lot short plat (Lot 4 of the Light's Out Replat), which according to Sandpoint City Code §10-2-3-A requires further division of the short plat for buildable lots to go through the full subdivision process. The four lots range in size from .76 acres to 1.34 acres. The site is bordered by Commercial C zoning to the north, east and west and Residential Single Family (RS) to the south across Ontario Street (see Figure 2). Lot 4 would retain the two existing warehouse buildings, with the remaining lots proposed for multifamily buildings.

Figure 1 Site



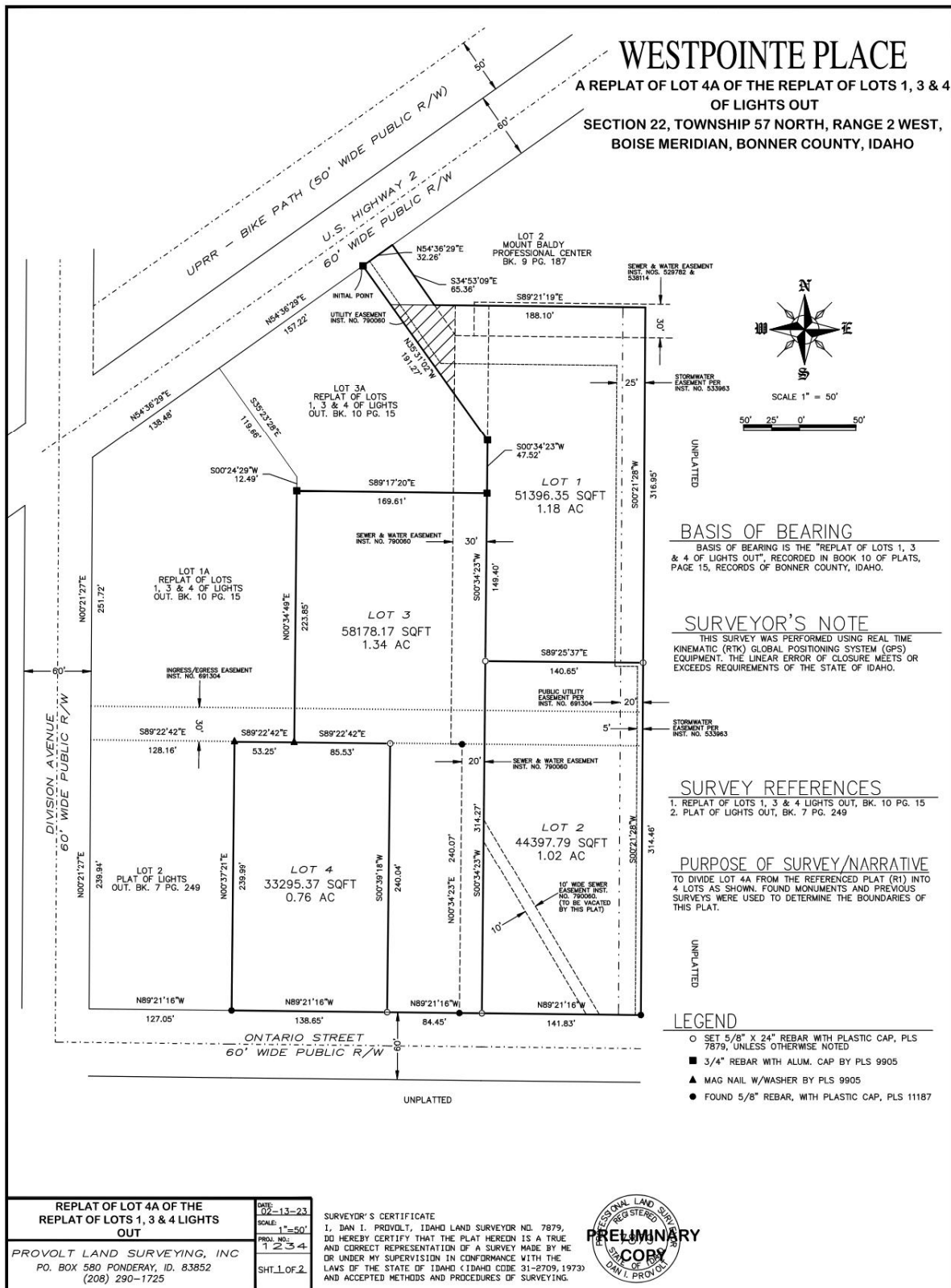
Preliminary plats provide the basic information for the Planning & Zoning Commission and the City Council to determine if the proposed subdivision generally complies with the applicable requirements of the Sandpoint City Code. Upon approval of a preliminary plat by City Council, a permit for public infrastructure improvements may be issued and once public infrastructure is complete and accepted, a final plat may be approved by City Council and recorded. A final plat

is necessary to create/sell new lots and no building permits may be issued prior to final plat recording.

Figure 2 Zoning



Figure 3 - Preliminary Plat



2) Conformance with existing plans, policies, and regulations

A. Multimodal Transportation Master Plan/Urban Area Transportation Plan

City Code, Title 10, Section 6 requires all streets and other public spaces and easements to conform to the adopted transportation plan. Although the subject subdivision does not create public streets or public spaces, there are goals, objectives and standards in the adopted Multimodal Transportation Master Plan (MTMP) as well as the standards of the Urban Area Transportation Plan (UATP) specific to access management and traffic analysis that are relevant to the request as noted below. Staff analysis of the request is provided in **bold**.

MTMP Goal 1. Provide a balanced approach to mobility.

Objectives:

- Improve and enhance safety and traffic circulation and preserve an acceptable level of service (LOS) at intersections; strive to maintain a LOS of D or better for peak hour traffic at intersections on City streets.
- Limit the number of approaches onto collectors and arterials in order to minimize safety conflicts between modes and preserve the function of the multimodal corridor.
- Continue to require compliance with roadway access management standards as part of land use application approval process.

The development is in the process of completing a full traffic impact study (TIS), which will then be forwarded to ITD due to the proximity of the development to US HWY 2. The subdivision does not create any additional approaches onto collector or arterial streets, however, the TIS will be evaluated by ITD for determination of possible off-site improvements needed on the highway.

MTMP Goal 2. Provide a walkable and bikeable network throughout the community.

Objectives:

- Continue to enhance the walkability and bike-ability of not only Downtown, but also the entire community and improve walking and bicycling routes throughout the community.
- Continue to require development proposals to provide complete streets in a manner consistent with design standards, as applicable.

The subdivision will be required to have sidewalks throughout that will connect to sidewalks on Ontario Street and connect to existing adjacent development sidewalks on S. Division Ave. and US HWY 2. There are no new streets proposed, but Ontario Street is identified as a priority bike route in the MTMP.

B. Other Provisions (City Code Title 7)

City Code, Title 7 provides various additional requirements related to utility and rights-of-way construction. Resolution 00-22 adopts a number of other manuals, standards, and specifications for public streets and rights-of-way. Conformance with these other provisions is thoroughly

assessed during the construction permitting phase of the project when detailed engineered plans are reviewed.

Conformance with these provisions is thoroughly assessed during the construction permitting phase of the project when detailed, engineered plans are reviewed. The subdivision shows existing easements for the site water, sewer, and stormwater, which will be further evaluated at the time of building permit. The Plat also shows an existing sewer line easement that will be vacated when this sewer line is relocated. A condition of approval to ensure the new easement meets code requirements is provided below.

C. Zoning (City Code, Title 9)

Zoning code regulates uses, setbacks, lot sizes, required frontages along streets, and may also contain certain design standards for resulting development.

Commercial C (CC) Zone

The Commercial C Zone is a commercial district that also allows multifamily construction. The CC zone has no minimum lot size or density maximum based on lot size but requires frontage on a public street.

All proposed lots conform to these standards. Detailed review of zoning requirements will occur at the building permit site plan review phase.

D. Subdivision & Development Standards (City Code, Titles 10 & 11)

Subdivision code section 10-1-6 regulates the required public improvements to serve a development, including the overall layout of blocks, streets, pathways, the provision of utilities, design standards and general procedures. Again, as this subdivision does not create any public rights-of-way, many of these standards would not apply.

As noted previously, the development is undertaking a Traffic Impact Study pursuant to §10-1-6-A-18. In addition, the General Requirements of Section 10-1-7 will be reviewed at the time of Public Infrastructure Permit, and staff is recommending that restrictive covenants be required for the subdivision, specifically for the on-going maintenance of storm water facilities.

Pursuant to §10-1-6-A-8, a 30-foot easement is required for water and sewer mains in parallel. The preliminary utilities plans indicate that the existing water and sewer mains to serve Lots 1-3 are not centered in the existing easements. In addition, the southern portion of this easement is only 20 feet wide but will contain both water and sewer in parallel after utility improvements are constructed. Therefore, staff recommends requiring that the existing “sewer & water easement” recorded under instrument #790060 be vacated and a new 30-foot public utility easement be recorded in a slightly new location that is centered on the final water and sewer main locations prior to final plat.

The storm water management plan will be reviewed to Title 11, Chapter 3 and approved plans will be required prior to Final Plat submittal, while development impact fees will be assessed

at time of building permit.

3) Application Notification and Comments

Pursuant to §9-9-9 and §10-1-8 of the Sandpoint City Code, the Commission is required to hold a public hearing on preliminary plats and to make recommendations to City Council. Notice has been provided to property owners within 300 feet of the property boundaries for which the proposal is being considered, posted at the site seven (7) days in advance of the hearing, and a summary has been provided in the official newspaper of general circulation 21 days prior to the hearing date as required by Sandpoint City Resolution #06-49.

In compliance with Idaho Code and Sandpoint City Code, applicable jurisdictions and agencies have been notified of the proposal including:

REVIEWING DEPARTMENTS & AGENCIES:				
City of Sandpoint	Local Agencies & Districts	State & Federal	Bonner County	Other
<input checked="" type="checkbox"/> Building <input checked="" type="checkbox"/> Fire Marshall <input checked="" type="checkbox"/> Planning <input checked="" type="checkbox"/> City Engineer <input checked="" type="checkbox"/> Operations	<input checked="" type="checkbox"/> Independent Highway District <input checked="" type="checkbox"/> Pend Oreille School District <input checked="" type="checkbox"/> Panhandle Health District <input checked="" type="checkbox"/> City of Dover <input checked="" type="checkbox"/> City of Ponderay	<input checked="" type="checkbox"/> ID Dept. Lands <input checked="" type="checkbox"/> Environmental Quality <input checked="" type="checkbox"/> ID Transportation Dept. (ITD) <input checked="" type="checkbox"/> USACE <input checked="" type="checkbox"/> ID Water Resources	<input checked="" type="checkbox"/> Surveyor <input checked="" type="checkbox"/> Sandpoint Airport <input checked="" type="checkbox"/> Planning <input checked="" type="checkbox"/> BC EMS <input checked="" type="checkbox"/> Commission	<input checked="" type="checkbox"/> Avista Utilities <input checked="" type="checkbox"/> Northern Lights <input checked="" type="checkbox"/> Various Utility/Service Providers <input checked="" type="checkbox"/> BNSF Railroad
X = Request for review/comments sent to department or agency.				

At the time of this report draft, we have received comments from ITD, Bonner County GIS, and the Bonner County Surveyor and they can be viewed [here](#). These comments have been forwarded to the applicant and are included in the recommended conditions of approval below. Any additional comments submitted before the meeting will be forwarded to the city council.

4. Planning and Zoning Commission Recommendation

A public hearing was held at the Planning and Zoning Commission on September 5, 2023, and the Westpointe Place Preliminary Plat was recommended for approval with the staff recommended five (5) conditions.

5. City Council Action

As required by Sandpoint City Code §10-1-8, the city council must also hold a public hearing on a preliminary plat request. Notice for the hearing was published in the Bonner Daily Bee on September 26th, property owners and agencies were notified on September 22nd, 2023, and the site notice posted on October 6th.

A preliminary plat will expire in two (2) years if a final plat is not submitted. If requested, a one (1) year extension may be requested by the applicant and granted by the city council. Following public testimony and subsequent deliberations, the city council may take one of the following

actions in accordance with Sandpoint City Code §9-9-9 (B):

1. Concur with the recommendation of the planning and zoning commission, with or without additional conditions of approval.
2. Postpone action on the application.
3. Deny the application.

On October 10, 2023, Scott Darnell, the project applicant, contacted staff requesting to final plat Lot 4 of the preliminary plat, that holds the existing commercial buildings, before the remaining three lots that are to be developed into multifamily housing. His request is enclosed. As noted below, the current staff recommendation is that all infrastructure be installed before final platting. If this lot has its own utilities, it may not be a problem to phase the final plat, but no documentation has been provided for review. Staff therefore recommends that the city council postpone action until the November 1, 2023, meeting to provide adequate time to review the utilities and come back with a final recommendation.

Based upon the requirements of City Code relative to preliminary plats, and comments received from agencies, should the city council move forward with action, staff recommends the following six (6) conditions be included in any motion to approve the Westpointe Place Preliminary Plat:

1. Public infrastructure, including sanitary sewer and water, shall be installed to serve all lots prior to Final Plat.
2. A stormwater management plan, based on development plans submitted by the applicant, shall be approved by the City Engineer prior to Final Plat. The stormwater management plan may be modified at the time of building permit submittal on any lot to accommodate changes in proposed development.
3. City approved and recorded CC&Rs for on-going maintenance of the stormwater system prior to Final Plat.
4. The Traffic Impact Study is completed and approved by ITD for any possible off-site impact fees. A re-permitting of access to US HWY 2 from ITD will be required.
5. Vacation of the existing water/sewer easement and creation of a new easement of no less than 30' centered over utility lines once the sewer main is relocated.
6. Changes to the plat as required by Bonner County GIS and Bonner County Surveyor are incorporated into the final plat.

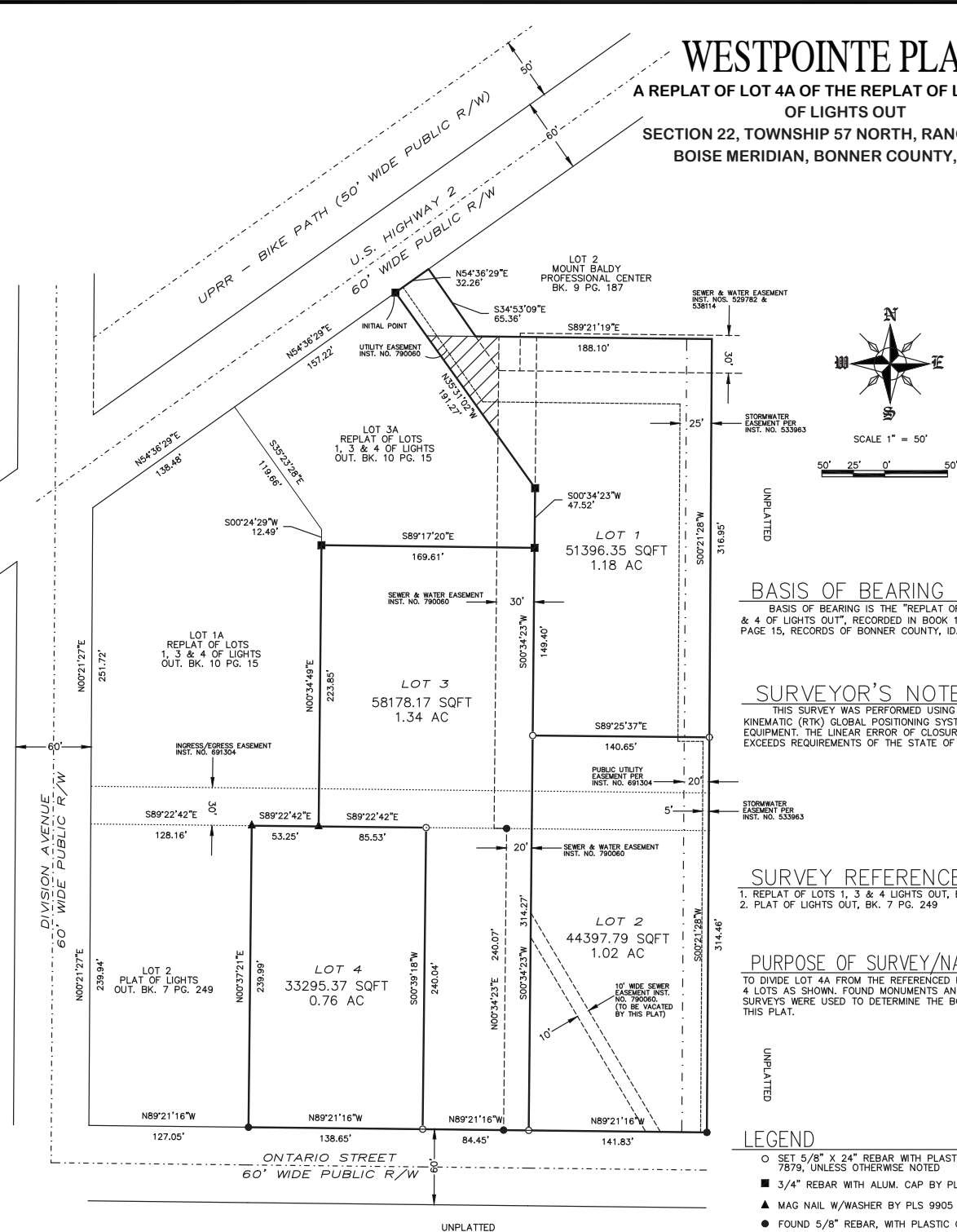
Attachments:

1. Preliminary Plat
2. Planning and Zoning Commission Minutes
3. Applicant's request to phase the subdivision final plat

WESTPOINTE PLACE

A REPLAT OF LOT 4A OF THE REPLAT OF LOTS 1, 3 & 4
OF LIGHTS OUT

SECTION 22, TOWNSHIP 57 NORTH, RANGE 2 WEST,
BOISE MERIDIAN, BONNER COUNTY, IDAHO



REPLAT OF LOT 4A OF THE
REPLAT OF LOTS 1, 3 & 4 LIGHTS
OUT

PROVOLT LAND SURVEYING, INC
P.O. BOX 580 PONDERAY, ID. 83852
(208) 290-1725

DATE: 02-13-23
SCALE: 1"=50'
PROJ. NO.: 1234
SHT 1 OF 2

SURVEYOR'S CERTIFICATE
I, DAN I. PROVOLT, IDAHO LAND SURVEYOR NO. 7879,
DO HEREBY CERTIFY THAT THE PLAT HEREON IS A TRUE
AND CORRECT REPRESENTATION OF A SURVEY MADE BY ME
OR UNDER MY SUPERVISION IN CONFORMANCE WITH THE
LAWS OF THE STATE OF IDAHO (IDAHO CODE 31-2709,1973)
AND ACCEPTED METHODS AND PROCEDURES OF SURVEYING.



WESTPOINTE PLACE

A REPLAT OF LOT 4A OF THE REPLAT OF LOTS 1, 3 & 4
OF LIGHTS OUT
SECTION 22, TOWNSHIP 57 NORTH, RANGE 2 WEST,
BOISE MERIDIAN, BONNER COUNTY, IDAHO

OWNERS' CERTIFICATE

THIS IS TO CERTIFY THAT WESTPOINTE PLAZA DEVELOPMENT LLC IS THE RECORD OWNER OF THE REAL PROPERTY DESCRIBED IN THIS CERTIFICATE AND HAS CAUSED THE SAME TO BE DIVIDED INTO LOTS, THE SAME TO BE KNOWN AS "REPLAT OF LOT 4A OF THE REPLAT OF LOTS 1, 3 & 4 OF LIGHTS OUT" LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 57 NORTH, RANGE 2 WEST, BOISE MERIDIAN, BONNER COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 4A OF THE REPLAT OF LOTS 1, 3 & 4 OF LIGHTS OUT AS RECORDED IN BOOK 10 OF PLATS, PAGE 15, RECORDS OF BONNER COUNTY, IDAHO.

SCOTT DARNELL - (TITLE) WESTPOINTE PLAZA DEVELOPMENT LLC.

ACKNOWLEDGMENT

STATE OF _____
COUNTY OF _____

ON THIS ____ DAY OF _____, IN THE YEAR OF 20____,
BEFORE ME PERSONALLY APPEARED SCOTT DARNELL, KNOWN OR IDENTIFIED TO ME TO BE THE [TITLE] OF THE WESTPOINTE PLAZA DEVELOPMENT LLC WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT [HE] EXECUTED THE SAME ON BEHALF OF THE LIMITED LIABILITY COMPANY AND ACKNOWLEDGED TO ME THAT SUCH LIMITED LIABILITY COMPANY EXECUTED THE SAME.

I HAVE HEREUNTO SET MY HAND AND SEAL THE DATE LAST ABOVE WRITTEN.

NOTARY PUBLIC FOR THE STATE OF _____
RESIDING AT: _____
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC _____

CITY ENGINEER

THIS PLAT HAS BEEN EXAMINED APPROVED THIS ____ DAY OF _____, 20____.

CITY ENGINEER _____

NOTES

SUBJECT TO THE FOLLOWING;

1. WATER IS PROVIDED BY THE CITY OF SANDPOINT
2. SEWAGE DISPOSAL IS PROVIDED BY THE CITY OF SANDPOINT
3. THE PLAT OF "LIGHTS OUT", BK. 7 OF PLATS, PG. 249
4. UNSPECIFIED RECIPROCAL EASEMENT FOR INGRESS & EGRESS OVER AND ACROSS THE SHOWN LOTS
5. THE "REPLAT OF LOTS 1, 3 & 4 OF LIGHTS OUT", BK. 10 OF PLATS, PG. 15.
6. PARKING EASEMENT RECORDED AT INST. NO. 595947
7. AN EASEMENT FOR SEWER AT INST. NO. 708367
8. BUILDING SETBACKS AS REQUIRED BY THE CITY OF SANDPOINT
9. A MASTER SIGN PROGRAM AS APPROVED BY THE SANDPOINT PLANNING COMMISSION RECORDED AT INST. NO. 790062
10. A SHARED PARKING AGREEMENT AS APPROVED BY THE SANDPOINT PLANNING COMMISSION RECORDED AT INST. NO. 790061
11. AN EASEMENT FOR PUBLIC UTILITIES RECORDED AT INST. NO. 529782
12. AN EASEMENT FOR STORMWATER DRAINAGE RECORDED AT INST. NO. 533963
13. AN EASEMENT FOR PUBLIC UTILITIES RECORDED AT INST. NO. 538114
14. TERMS AND CONDITIONS CONTAINED IN A LIGHTS OUT SHORT PLAT SUBDIVISION DEVELOPMENT AGREEMENT RECORDED AT INST. NO. 699273
15. AN EASEMENT FOR SANITARY SEWER RECORDED AT INST. NO. 708367
16. COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED AT INST. NO. 790061
17. DEVELOPMENT OF ANY LOT IN THIS SUBDIVISION WILL REQUIRE A STORMWATER PLAN, PREPARED BY A CIVIL ENGINEER REGISTERED IN THE STATE OF IDAHO, TO BE REVIEWED AND APPROVED BY THE CITY OF SANDPOINT, BEFORE ISSUANCE OF ANY BUILDING PERMIT.
18. NO WETLANDS ARE PRESENT ON THE PROPERTY PER NATIONAL WETLANDS INVENTORY MAPS.
19. THE PROPERTY IS LOCATED IN ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) PER FEMA MAPS.
20. THE PROPOSED USE OF THE SHOWN LOTS IS MULTI FAMILY RESIDENTIAL BUILDINGS

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED ON AN ACTUAL SURVEY LOCATED IN SECTION 22, TOWNSHIP 57 NORTH, RANGE 2 WEST, BOISE MERIDIAN, BONNER COUNTY, IDAHO, THAT THE DISTANCES, COURSES AND ANGLES ARE SHOWN CORRECTLY HEREON AND THE MONUMENTS HAVE BEEN PLACED AND ALL LOT AND BLOCK CORNERS PROPERLY SET AND THAT THE SURVEY IS IN COMPLIANCE WITH ALL PROVISIONS OF APPLICABLE STATE LAW AND LOCAL ORDINANCES.

DATED THIS ____ DAY OF _____, 20____.

DAN I. PROVOLT, PLS 7879



COUNTY SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED THE HEREIN "REPLAT OF LOT 4A OF THE REPLAT OF LOTS 1, 3 & 4 OF LIGHTS OUT" AND CHECKED THE PLAT AND COMPUTATIONS THEREON AND HAVE DETERMINED THAT THE REQUIREMENTS OF THE IDAHO STATE CODE PERTAINING TO PLATS AND SURVEYS HAVE BEEN MET.

DATED THIS ____ DAY OF _____, 20____.

BONNER COUNTY SURVEYOR _____

APPROVAL OF THE CITY OF SANDPOINT

I, _____, MAYOR OF THE CITY OF SANDPOINT, BONNER COUNTY, IDAHO, DO HEREBY CERTIFY THAT THIS "REPLAT OF LOT 4A OF THE REPLAT OF LOTS 1, 3 & 4 OF LIGHTS OUT" HAS BEEN EXAMINED AND APPROVED DATED THIS ____ DAY OF _____, 20____.

MAYOR _____

CITY CLERK _____

PANHANDLE HEALTH DISTRICT 1

TBD

COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE REQUIRED TAXES ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN FULLY PAID UP TO AND INCLUDING THE YEAR 20____.
APPROVED THIS ____ DAY OF _____, 20____.

BONNER COUNTY TREASURER _____

BY: _____

CITY PLANNER

THIS PLAT HAS BEEN EXAMINED FOR CONFORMANCE TO THE ZONING AND SUBDIVISION CODES AND APPROVED THIS ____ DAY OF _____, 20____.

CITY PLANNER _____

RECORDER'S CERTIFICATE

FILED THIS ____ DAY OF _____, 20____, AT _____ M.,
AT THE REQUEST OF PROVOLT LAND SURVEYING, INC.

INSTRUMENT No. _____ FEE: _____

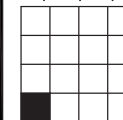
BOOK _____ PAGE _____

COUNTY RECORDER _____

BY DEPUTY _____

RECORDER'S
CERTIFICATE

S.22, T.57N., R.2W., B.M.



REPLAT OF LOT 4A OF THE
REPLAT OF LOTS 1, 3 & 4 LIGHTS
OUT

PROVOLT LAND SURVEYING, INC
P.O. BOX 580 PONDERAY, ID. 83852
(208) 290-1725

DATE: 10-13-23
BOOK: NONE
DRAWN: JP
PROJ. NO.: 1234
CAD FILE: S-REPLAT-DARNELL
SHT. 2 OF 2



Final

PLANNING & ZONING
COMMISSION

Minutes

1. Call to Order

The meeting was called to order at 5:30 p.m. by Chairman John Hastings, presiding in Council chambers at City Hall, 1123 W. Lake St., Sandpoint, Idaho.

2. Roll Call

In addition to Chairman Hastings, Commissioners Grant Simmons, Mose Dunkel, Amelia Boyd, Ben McGrann, and Wayne Benner were present. Commissioner Slate Kamp was absent.

3. Pledge of Allegiance

Chairman Hastings led all present in the pledge of allegiance.

4. Announcements

Staff announced the City Council public hearing on the comprehensive plan would occur on October 4th and a special meeting for a City Council public hearing on the Bonner County rezone request was scheduled for September 27th.

5. Meeting Minutes Approval

Item Number:	5A	Minutes from the August 15 th regular meeting
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Motion to approve the minutes for the August 15th regular meeting as presented.

Result:	Passed
Moved by:	Benner
Seconded by:	McGrann
Voted Yes:	Simmons, Dunkel, Boyd, McGrann, Benner
Voted No:	
Abstained:	Hastings
Absent:	Kamp

6. Public Hearing

Item Number:	5A	Preliminary Plat for a four (4) lot subdivision (PS23-0003)
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Chairman Hastings announced that the next item on the agenda was a public hearing and possible recommendation to City Council on application number PS23-0003, a preliminary plat for a four-lot subdivision.

The Chairman stated the order and procedure for the public hearing. Comments received by way of that stated procedure were either included in the meeting packet or, if received in time prior to the meeting, forwarded to the Commissioners. He explained that this process must be followed to ensure that comments are properly received, logged, disseminated, and filed in the permanent hearing record.

Chairman Hastings further recited the City's general rules for participation during public meetings and asked for confirmation from each Commissioner that he or she had no ex parte contact or conflict of interest as pertains to the request. No conflict of interest or ex parte communication was identified.

City Planner Amy Tweeten provided an overview of the request and fielded questions from Commissioners.

The applicant representative, Scott Darnell, stated he was there to answer any questions and fielded questions from Commissioners.

Chairman Hastings then recited the standards for public testimony and repeated the process for speaking during the hearing and that each speaker would be given up to 3 minutes to speak. One gifting of an additional 3 minutes to a speaker would be allowed as long as both persons were present.

Commissioners heard from City resident Norris Boyd who was neutral to the application but had concerns with storm water management and non-City resident Shaun Gonsalves who raised concerns with parking at the Mountain West Bank building and the drive entry.

Seeing no one else from the public wishing to speak, Chairman Hastings then closed the public hearing.

The Commissioners then deliberated, with Ms. Tweeten and City legal counsel Zach Jones fielding questions.

Commissioner Simmons then made a motion to recommend approval of the request with the five (5) staff recommended conditions of approval, including:

1. Public infrastructure, including sanitary sewer and water, shall be installed to serve all lots prior to Final Plat.
2. A stormwater management plan, based on development plans submitted by the applicant, shall be approved by the City Engineer prior to Final Plat. The stormwater management plan may be modified at the time of building permit submittal on any lot to accommodate changes in proposed development.
3. City approved and recorded CC&Rs for on-going maintenance of the stormwater system prior to Final Plat.
4. The Traffic Impact Study is completed and approved by ITD for any possible off-site impact fees.
5. Vacation of the existing water/sewer easement and creation of a new easement of no less than 30' centered over utility lines once the sewer main is relocated.

The motion was based on the findings that staff followed the required notice procedure for subdivisions in Sandpoint City Code 9-9; that with the conditions the application is compliant with Title 10 and Title 9; and that the proposed subdivision is consistent with overall planning goals and objectives.

Result:	Passed
Moved by:	Simmons
Seconded by:	McGrann
Voted Yes:	Benner, McGrann, Boyd, Hastings, Dunkel,
Voted No:	
Abstained:	

Absent: Kamp

7. New Business

Item Number: 7A Discussion/Direction on code changes related to mobile vending

Chairman Hastings announced that the next item on the agenda was discussion and direction on proposed code changes to mobile vending.

City Planner Amy Tweeten reviewed the proposed changes to clarify regulations for mobile vending by creating a new chapter in business licenses that would have regulations specific to such businesses. The accessory uses section of Title 9 would also be clarified.

Commissioners concurred with the approach and gave direction to staff to move forward with drafting changes.

8. Old Business

Item Number: 8A Discussion/Direction on code changes related to accessory structures

City Planner Amy Tweeten and Arts, Culture and Historic Preservation Officer Heather Upton reviewed additional information provided on possible sizes of second story ADUs based on different garage sizes, where an ADU on a corner lot would be located in relation to the secondary street frontage based on the proposed language, and recommended design elements.

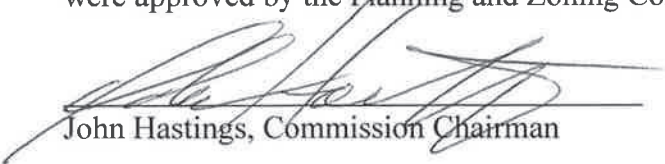
Commissioners continued their discussions and provided direction that the language on second story should be 75% of the principal structure, not to exceed 700 square feet, that the goal is to incentivize single story ADUs, that the design criteria needed to be broader, in particular related to materials, and consideration for principal building compatible with principal structure. Staff will return with further refinements.

9. Public Comment

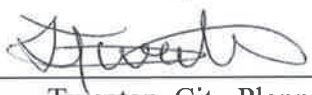
The Commission heard comments from Jeremy Grimm, City resident, regarding mobile vending and accessory structures.

With no further business before the Commission, Chairman Hastings adjourned the meeting at 8:07 p.m.

I presided over this meeting and can confirm that these minutes, prepared by the City Planner, were approved by the Planning and Zoning Commission on September 19, 2023.


John Hastings, Commission Chairman

Attest:


Amy Tweeten, City Planner

Amy Tweeten

From: Scott Darnell <sdarnell@darnellcapital.com>
Sent: Wednesday, October 11, 2023 7:52 PM
To: Amy Tweeten
Subject: Westpointe Place - subdivision

[Caution] This email originated from outside the City of Sandpoint organization. **Do not** click on links or open attachments unless you recognize the sender and know it's safe. When in doubt contact the [IT Department](#)

Amy

Per our discussion, and your voicemail, I would like to formally phase the platting of the 4 proposed lots at the westpointe Place / Lights Out project. The first phase is the lot with the warehouse buildings on it. It is already served by active utilities and has an active tenant user now.

Regards,

Scott Darnell